



**REMARKS/ARGUMENTS**

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 28, 29, 31-48, and 51-63 are presently active in this case; Claims 46, 55, and 58 having been amended, Claim 49 and 50 having been canceled without prejudice, and Claims 61-63 having been added by the present amendment.

In the outstanding Official Action, Claims 46-52 and 55-60 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 46-52, 55, 56, 58, and 59 were rejected under 35 U.S.C. §102(e) as being anticipated by Tokuda (U.S. Pat. Pub. No. 2002/0054280). Claims 58 and 59 were rejected under 35 U.S.C. §102(e) as being anticipated by Osani (U.S. Pat. No. 5,610,686). Claims 28, 29, 31-44, 53, and 54 were indicated as being allowed. Claims 57 and 60 were indicated as being allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph, rejection and to include all the limitations of the base claim and any intervening claims.

Firstly, Applicant acknowledges with appreciation the indication of allowance for Claims 28, 29, 31-44, 53, and 54 and the indication of allowable subject matter in Claims 57 and 60.

Secondly, regarding the 35 U.S.C. §112, second paragraph, rejection, presently amended Claim 46 defines a driver having a first member coupled to a stage and having a second member configured to drive the stage, a stage base that movably supports the stage,

a counter stage that moves in a direction opposite to the stage in accordance with movement of the stage, and a first supporting frame that is arranged independently of the stage base and movably supports the counter stage. Similarly, presently amended Claim 58 defines a driver having a first member coupled to the stage and having a second member configured to drive the stage, a counter stage that moves in a direction opposite to the stage in accordance with movement of the stage, and a first supporting frame that movably supports the counter stage.

Applicant points out that Figure 11 of the specification depicts, by way of an example, a reticle stage RST (i.e., a stage) supported by air levitation above a reticle base supporting bed 42 (i.e., a stage base) by a plurality of air pads 254, and depicts stators 212A and 212B (i.e., a counter stage) which are moveable in an opposite direction to the stage. Between the stators 212A and 212B and the upper surface of a reaction frame 252 (i.e., a first supporting frame), rolling guides 258 are interposed. That is, the supporting frame is not positioned above the stage base, and accordingly the supporting frame is arranged independently of the stage base.

Thus, as shown by example in Applicant's Figure 11, the stage base and the first supporting frame supports the stage and the counter stage, respectively. As such and as defined in Claims 46 and 58, the stage base movably supports the stage and the first supporting member movably supports the counter stage. Further, as defined in Claim 46, the first supporting member is arranged independently of the stage base. Hence, in

light of this explanation, it is respectfully submitted that the 35 U.S.C. §112, second paragraph, rejection to Claims 36-41 should be withdrawn.

Thirdly, regarding the 35 U.S.C. §102(e) rejection over Tokuda et al, the U.S. filing date of Tokuda et al is April 6, 1999. Yet, the priority date of the present application is October 28, 1998. A copy of the International Application as filed has been communicated by the International Bureau to the U.S. Patent and Trademark Office. An English language translation of the International Application was filed for this application on April 30, 2003 along with a Request for Priority. Acknowledgement of all the 35 U.S.C. §371 requirements was made by the U.S. Patent and Trademark Office on June 8, 2001. Therefore, under 35 U.S.C. §119 and 35 U.S.C. §365, it is respectfully submitted that Tokuda et al is not prior art against the present application. For these reasons, it is respectfully submitted that Tokuda et al be removed as a prior art reference.<sup>1</sup>

Finally, regarding the applied art reference of Osanai, the outstanding Office Action recognizes that a main base 9 in Osanai corresponds to a first supporting frame that movably supports a counter stage, and recognizes that air cushions 13 in Osanai correspond to a damping member.<sup>2</sup> However, the air cushions 13 in Osanai as seen from the construction depicted in Figure 1 therein do not dampen the vibration of the main

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<sup>1</sup> Even if the Tokuda et al publication was prior art, Tokuda et al do not disclose that a counter stage is coupled to a second member of a driver, as defined in presently amended Claims 46 and 58.

<sup>2</sup> Office Action, page 3, lines 23-26.

base 9, and hence do not dampen the vibrations of the coupling member 14. Rather, the air cushions 13 are connected between the coupling member 14 and the stage base 8 to dampen vibrations on the stage base 8. Furthermore, inertial forces (as reactive forces) are not transmitted to the main base 9 in Osanai.<sup>3</sup> As such, the air cushions 13 in Osanai do not damp a vibration of the coupling member 14 (i.e., do not reduce a vibration of the coupling member 14), and thus do not damp the vibration of the first supporting frame, as defined in Claim 58. Accordingly, there is no disclosure, suggestion, or motivation for the defined damping member in Claim 58 that is arranged on the first supporting frame and damps a vibration of the first supporting frame. Thus, it is respectfully submitted that Claim 58 and the claims dependent therefrom patentably define over Osanai.

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<sup>3</sup> Osani, col. 5, lines 36-46.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in a condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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